IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH,
AT HYDERABAD

THE HON'BLE SRI JUSTICE P.S. NARAYANA

WRIT PETITION No. 12372 OF 2006

Date:21.06.2006

BETWEEN:

1. Meduri Hanumantha Rao and others

…. PETITIONERS

And

1. State of A.P., rep by its Principal Secretary, Municipal & Urban Development, Secretariat, Hyderabad, and others.

…. RESPONDENTS

ORAL ORDER:

Heard both the counsel.

This Writ Petition is filed for a Writ of Mandamus declaring the action of the respondents in marking a portion of the building properties belonging to the petitioners situated in D.Nos.18-7-62, 18-1-42 and 18-1-172 of Kotla Bazar, Ram Mandir Centre Chirala Municipal limits with a direction to demolish the same for the road widening as illegal, irregular, violative of principals of natural justice and the provisions of A.P. Municipalities Act and Rules framed thereunder, and offends articles 14, 21 and 300-A of the Constitution of India, and consequently direct the respondents not to demolish any portion of the said buildings, its compound walls and site and to pass such other orders.

Several factual details had been narrated. The main grievance ventilated by the petitioners is that the respondents are making attempts to proceed with the demolition activity without following due process of law. It is needless to say that the respondents are bound to follow due process of law before taking up any demolition activity.

Hence, the Writ Petition is disposed of with a direction to the respondents not to carry on any demolition activity of the building in question, the subject matter of the writ petition, unless they follow the due process of law. No order as to costs.

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(P.S. Narayana, J.)

21st June, 2006
Js.